JUVENILE DETENTION REFORM
December 31, 2007
5 Years Later
Juvenile Detention Reform (JDR) started over 5 years ago, in 2002, when Santa Clara County received its first grant from the Annie E. Casey Foundation and subsequently became a JDAI site. The County’s Juvenile Detention Reform teams have made much progress in the past few years. The Workgroups have successfully completed work plan actions to produce tools such as the Police Booking Protocol and the Detention Risk Assessment Instrument (Detention RAI) and identified other efforts that may help reduce the disproportionate representation of minorities detained within the juvenile justice system. The Community Release (CRP) and Electronic Monitoring Programs (EMP) and the Alternative Placement Academy (APA) were among the earliest alternatives to detention (ATD), implemented before JDR began, and the most recent ATD, the Evening Reporting Center (ERC), opened its doors in September 2006.

Juvenile Detention Reform Initiative was expected to accomplish 11 primary goals at its inception. Five years later, it is clear to see that many of these goals have led to a collaborative process of continuous improvement within the County’s Juvenile Justice System. In fact, JDR set out to meet specific goals and in the process of tackling these goals created a collaborative spirit amongst the juvenile justice system that will last beyond the Initiative itself.

The specific goals set for JDR were:

1. Use data to determine where there are opportunities to reduce the unnecessary and inappropriate detention of youth
2. Create and use alternatives to detention
3. Reduce disproportionate minority confinement
4. Reduce unnecessary delay in case processing
5. Reduce unnecessary and inappropriate detention of youth
6. Control the Juvenile Hall “front gate” by developing and implementing effective admissions policies and practices
7. Improve conditions of confinement
8. Engage impacted parents and youth
9. Develop ombudsman type services for juvenile justice system (later dropped as a goal)
10. Conduct public forums to better understand community concerns and to help inform the JDR planning and implementation process
11. Improve community understanding of the juvenile justice system

The use of data to reduce unnecessary and inappropriate detention of youth has been institutionalized with the hiring of an Information Systems Manager. The position serves the need for data gathering, validation, and dissemination to managers and work groups making critical decisions. Staff has learned to rely on data analysis as a result of lessons learned through JDR. When making decisions about new services such as the use of the ERC in combination with the Community Release Program and the Electronic Monitoring Program, staff quickly conducts extensive research and analyzes volumes of data to understand the feasibility of projects or proposals. While these are general services being introduced by Probation and not the result of a work group or task team in JDR, the practices learned through JDR have led to changes that reach beyond those of the Initiative itself.

The creation and use of alternatives to detention has, again, become part of what the County’s Juvenile Justice System does everyday. Outside of utilizing the traditional Community Release Program, the Electronic Monitoring Program, and the Evening Reporting Center, the Department has contracted through the County Mental Health Department, new services that are evidenced-based and proven effective with Juvenile Justice Youth.

Recently announced was a change in policy to discontinue the use of short-term commitment to Juvenile Hall. The programs put in place as an alternative to a short-term commitment to Juvenile Hall programs are the MIOCR funded Intensive Aftercare Services (JH and JRF Aftercare) and the JJCPA funded Enhanced Services for High Risk Youth (CRP/EMP, General Supervision cases) which will both employ: BSFT (Brief Strategic Family Therapy), ART (Aggression Replacement Training) and Out-Patient Mental Health Services. These treatment modalities were recommended in the Huskey & Associates “Continuum of Services” report commissioned by the Probation Department.

The Department will utilize the services provided by the Evening Reporting Center to add supervision without the use of detention for those minors who are struggling on Deferred Entry of Judgment (DEJ), CRP, or EMP alone. Again, this demonstrates that the reach of JDR goes beyond that of the Initiative itself and shows not only a change in the cognitive processes about addressing the needs of the County’s youth but goes so far as to indicate that a paradigm shift has occurred over the course of the past 5 years.

Reducing disproportionate minority confinement was a lofty goal within JDR and one that seemed to be the most difficult to achieve. However, in the most recent report presented to the Oversight Committee, progress was finally seen even in this most challenging goal. The Latino and African
American populations have historically been over-represented in juvenile
detention and in FY 2007; the County saw a 5% reduction in the number of
Latino youth detained and an 11% reduction in the number of African American
minors detained.

Many other goals have been achieved over the course of JDR. The
reduction in delays due to case processing has brought the overall
ALOS down to 38 from 56 prior to the start of JDR. The Enhanced
Ranch Program and the Life Skills Unit at Juvenile Hall are not the direct results
of JDR but have been made possible by the willingness of staff to seek solutions
outside of those previously utilized as modeled in JDR. The Enhanced Ranch
Program and the Life Skills Unit have directly impacted the conditions of
confine ment and are another example of the magnitude of the process changes
that were initiated by JDR. All recommendations in the David Roush report have
been implemented. Our Quality Assurance process is an integral part of self-
evaluation and improvement.

The use of the Booking Protocol and Risk Assessment Instrument has led to a
tremendous decrease in the total number of referrals to Juvenile Hall and the
detention of the youth referred. Juvenile Hall referrals are down from 4151 in
FY03 to 2741 in FY07 – a 34% reduction. Juvenile Hall detentions are also
down from 3024 in FY03 to 2534 in FY07 – a 16% reduction in the number of
minors detained. Controlling the “front gate” at Juvenile Hall by utilizing
effective tools such as The Booking Protocol and Risk Assessment Instrument has
been effective in reducing the unnecessary and inappropriate detention of youth
who do not pose a threat to community safety.

The Burns Institute has been a key player in JDR from the start. In 2003, they
held public forums to engage youth and parents in order to help the County
understand the issue of disproportionate minority confinement. They have
provided guidance to the management team and juvenile justice partners in not
only understanding the DMC zip codes, they have also assisted with the
appropriate review and presentation of data gathered through JDR. Today, the
juvenile justice system partners work together to address concerns as they arise
through the use of data and by examining the results of measures undertaken by
reviewing the impact on the Latino and African American minors.

Indeed, Juvenile Detention Reform is institutionalized and the impact of the
Initiative reaches beyond the projects undertaken by the committees, work
groups, and task teams. The staff and system partners are ready to embark
on the last goal of improving the community’s understanding of the juvenile
justice system. However, because of JDR, that engagement need not be about
reforming the detention system in the County. Much of that work is behind us
now. Community education must focus on the results of JDR and the paradigm
shift that has occurred because of it.
Community partners, parents, and youth need to understand that Juvenile Detention Reform started as an Initiative but became a way of conducting everyday business. As such, JDR served its purpose but the next step must be to continue the momentum beyond what needs to be reformed. Juvenile Detention Reform has become a collaboration of partnering agencies, from the police departments to the District Attorney and the Juvenile Delinquency Judges, working together to continuously improve the system.

JDR served as the catalyst for the evolution of this Juvenile Justice Systems Collaborative. As we prepare to educate the public and incoming partners, the County must not only inform people about the teams, processes, and data reviews that were part of the structure of JDR, but we must speak about the evolution of the collaborative process itself. The reach of JDR goes beyond detention into every aspect of the Juvenile Justice System. It is not just the Initiative itself but the continuous improvement process it leaves as its legacy that has been the most significant accomplishment of the Juvenile Detention Reform and that is what we must educate our community about.

The community will also need to be educated about the changing needs of the Juvenile Justice System. 5 years ago, there was a need for a structure in JDR that allowed multiple teams to consider the feasibility of implementing solutions that were being utilized in other jurisdictions. Tools such as the Risk Assessment Instrument, the Booking Protocol, and the Evening Reporting Center were leading edge strategies but they were not unique to our County. The JDR structure allowed the County to pursue multiple implementations simultaneously. Frequent meetings and reports back to Steering and Oversight ensured progress.

The work that remains ahead of us requires a collaborative of the juvenile justice system partners evaluating the unique circumstances our County now faces at a deeper level to create categorically unique solutions. These solutions require an in-depth analysis of the problem and the potential solutions prior to implementation. Failure to think through solutions before executing them can lead to costly errors that must be avoided in today’s budget climate. This work takes longer than what needed to be done in the past.

San Jose, the County seat, has recently lost it’s much coveted title as the Safest City in the US. Crime is on the rise and the community needs to be assured that its safety is not compromised in any way. The minor who is not yet deeply entrenched into sophisticated delinquent behavior needs to stay out of Juvenile Hall in order to be sure that there is room for those youth who need the stronger support of detention to overcome their difficulties. The community wants to understand that the juvenile justice system is effective, thorough, and capable of distinguishing the latter from the former. Investigating problems and solutions more thoroughly is not just desirable but a necessity. Team members need time
away from meetings to be as thorough as possible and a different organizational structure is essential to sustain the collaborative process.

Feedback received from community and system partners also pointed out the need to consolidate meetings to ensure efficiency in the oversight provided for detention facilities. The Juvenile Justice Commission, The Juvenile Hall Advisory Board and Juvenile Detention Reform share a common mission with regards to Juvenile Hall and the Ranches. Therefore, consolidating the functions of these teams is a more efficient use of resources. However, the Juvenile Justice Commission is statutorily required in order to maintain funding streams from the State. The Juvenile Hall Advisory Board, on the other hand, was created by the County Board of Supervisors as a result of passing Measure A. Its scope is narrower than that of Juvenile Detention Reform and both efforts could be collapsed into the new Juvenile Justice Systems Collaborative without legal conflict. However, JHAB was established by Measure A where the voters expressed their wish to create a body that would provide oversight over Juvenile Hall and the Ranches. To absorb JHAB's role into another body with a broader role could potentially dilute its mission and is not advisable.

The Juvenile Justice Systems Collaborative will need to meet less frequently and have a less formal structure to sustain the evolution as it progresses. Two formal work groups and additional ad hoc work groups formed as needed, will allow for a greater focus on continuous improvement. The newly formed Collaborative would meet once a quarter while the work groups meet as needed to complete projects under consideration or implementation.

Juvenile Detention Reform came at a time when reforming the juvenile justice system required leadership and commitment. Today, partners are committed to the JDR collaborative process. An infrastructure has been instituted to ensure we hold the gains for all improvements implemented thus far as we work passionately and diligently to improve our juvenile justice process.

Next Steps:

- Forward recommendation for new Collaborative to the full Board for consideration on May 20, 2008.
- Prioritize our focus through the Juvenile Justice Systems Collaborative and work on preventive steps to reduce the number of youth entering the Juvenile Justice System by strengthening the partnership with the City of San Jose/Mayors Gang Prevention Task Force and align resources to optimize County/City services for at-risk youth.
- Develop a model blueprint for at-risk youth that focuses on prevention, community engagement, self-reliance and community sustainability. Implement Blueprint Model at an identified community neighborhood in
2008. Establish policy and procedures to replicate successfully throughout the County.

- Partner with County Education Leaders to explore ways to increase educational success of minors engaged in delinquent behavior.
- Produce and analyze reports on a regular basis to ensure we are holding gains achieved thus far through the Juvenile Justice Systems Collaborative efforts and that continuously focus on improving System processes.